

1                                    AMENDMENT TO HOUSE BILL 1039

2            AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1039 by replacing  
3 the title with the following:

4            "AN ACT concerning public accommodations."; and

5 by replacing everything after the enacting clause with the  
6 following:

7            "Section 1. Short title. This Act may be cited as the  
8 Motorcyclist Public Accommodation Act.

9            Section 5. Definition. As used in this Act, "place of  
10 public accommodation" means a business, accommodation,  
11 refreshment, entertainment, recreation, or transportation  
12 facility of any kind, whether licensed or not, whose goods,  
13 services, facilities, privileges, advantages, or  
14 accommodations are extended, offered, sold, or otherwise made  
15 available to the public. By way of example, but not of  
16 limitation, "place of public accommodation" includes  
17 facilities of the following types: inns, hotels, motels,  
18 restaurants, cafes, eating establishments, taverns,  
19 roadhouses, barber shops, department stores, clothing stores,  
20 shoe stores, bathrooms, restrooms, theaters, skating rinks,  
21 parking lots and garages, golf courses and driving ranges,

1 concerts, cemeteries, railroads, buses, airplanes, street  
2 cars, boats, swimming pools, and other places of public  
3 accommodation and amusement.

4 Section 10. Violation.

5 (a) It is a violation of this Act for any person to  
6 restrict an individual's access to, admission to, or use of a  
7 place of public accommodation solely because the individual  
8 operates a motorcycle.

9 (b) This Section does not prohibit a person from  
10 restricting an individual's access to, admission to, or use  
11 of a place of public accommodation because the individual's  
12 conduct poses a risk to the health, safety, or property of  
13 another.

14 Section 15. Penalty.

15 (a) A person who violates this Act commits a petty  
16 offense.

17 (b) In addition to any other penalties that may be  
18 imposed for a violation of this Act, a person whose access  
19 to, admission to, or use of a place of public accommodation  
20 is restricted because of a violation of this Act is entitled  
21 to the following relief in a civil action against the person  
22 who committed the violation:

23 (1) either (i) actual damages or (ii) statutory  
24 damages of \$500, whichever is greater, for each  
25 violation;

26 (2) appropriate injunctive relief to enjoin future  
27 violations; and

28 (3) costs and reasonable attorney's fees.

29 (c) Each day that a violation of this Act takes place  
30 constitutes a separate violation for purposes of assessing  
31 penalties or damages."